

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 * * *

4 ESTELL L. THOMAS,

5 Plaintiff,

6 v.

7 LOUIS DEJOY, POSTMASTER GENERAL,
8 UNITED STATES POSTAL SERVICE,
(Western Area),

9 Defendant.

Case No. 2:23-cv-00397-MMD-EJY

10 **ORDER**

11 Pending before the Court is Federal Defendant's Motion to Extend the Time to File a
12 Response to Plaintiff's Amended Complaint. ECF No. 54. The docket reflects Plaintiff filed her
13 Amended Complaint on May 30, 2024, establishing a June 18, 2024 response deadline. Defendant
14 seeks a 45 day extension to August 2, 2024 to file a response. Defendant says Plaintiff's Amended
15 Complaint is long and the United States Postmaster needs additional time to properly evaluate and
16 answer the pleading. After arguing merits of the defense, which demonstrates Defendant's full
17 familiarity with this dispute thereby undermining the claimed need for an extension of time,
18 Defendant says there is good cause for the extension.

19 Plaintiff opposes Defendant's extension. ECF No. 56. Plaintiff complains about
20 Defendant's failure to contact her through telephone rather than email (a problem Defendant appears
21 to have corrected), and that this case has been pending since March of 2023 (ECF No. 1) rendering
22 the extension request in bad faith. Plaintiff points to the numerous extensions Defendant previously
23 requested, some of which were granted, and argues good cause has not been shown.

24 A finding of bad faith is not supported here. Nonetheless, the Court agrees that the docket
25 does not support a finding of diligence, and Defendant's instant Motion fails to provide a good reason
26 for the additional extension request. Defendant is obviously familiar with the facts and history of
27 this case. Still, given today's date, a short extension is granted to allow Defendant reasonable time
28 to prepare its response.

Accordingly, IT IS HEREBY ORDERED that Defendant's request for a 45 day extension of time to respond to Plaintiff's Amended Complaint (ECF No. 54) is GRANTED in part and DENIED in part.

IT IS FURTHER ORDERED that Defendant's response to Plaintiff's Amended Complaint is due **July 15, 2024**. No further extensions will be granted absent a showing of some unforeseen intervening circumstance.

Dated this 14th day of June, 2024.

Elayna J. Youschah
ELAYNA J. YOUSCHAH
UNITED STATES MAGISTRATE JUDGE